

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	
ROBERT MERRITT	:	NO. 07-550-04

ORDER

AND NOW, this 31st day of January, 2013, upon consideration of Defendant Robert Merritt's Motion to Preclude Evidence of Prior Bad Acts (ECF No. 354), and the Government's Response (ECF No. 461), and after a hearing in open court, it is **ORDERED** as follows:

(1) The Motion to preclude testimony regarding the sale of controlled substances is **DENIED**.

(2) The Motion to preclude testimony regarding Defendant's prior conviction for possession of a firearm is **DENIED**.

(3) The Government may provide supplemental briefing to explain how the proffered evidence of threats and intimidation of three witnesses and the attempted abduction of a witness support any of the charged aggravating factors.

IT IS SO ORDERED.

BY THE COURT:

/s/R. Barclay Surrick
U.S. District Judge